
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Bright House Networks)	File No. EB-04-TP-042
2251 Lucien Way)	
Maitland, Florida 32751)	NOV No. V20043270002
)	
Attention: John Walsh)	

NOTICE OF VIOLATION

Released: February 19, 2004

By the District Director, Tampa Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Bright House Networks, operator of the cable system serving Daytona Beach, Florida.

2. On January 29 and January 30, 2004, agents of the Commission's Tampa Office inspected a cable system in Daytona Beach, Florida and observed the following violations:

- a. 47 C.F.R. § 76.605 (a)(12): As an exception to the general provisions requiring measurements to be made at subscriber terminals, and without regard to the type of signals carriers by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in 76.609 (h) and shall be limited as follows: Over 54 MHz, and less than and including 216MHz – 20 micro-volts per meter measured at 3 meters.

At the time of inspection signal leakage was observed on the frequency of 121.2625 MHz as follows:

- | | |
|---|-----------|
| 1. Sun & Surf Motel, 726 N. Atlantic Avenue | 728 µV/m |
| 2. Turtle Inn, 3233 S. Atlantic Avenue | 290 µ V/m |

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Bright House Networks, must submit a written statement

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Tampa Office
2203 N. Lois Avenue, Suite 1215
Tampa, Florida 33607

4. This Notice shall be sent to Bright House Networks, 2251 Lucien Way, Maitland, Florida, 32751.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Ralph M. Barlow
District Director
Tampa Office

³ P.L. 93-579, 5 U.S.C. § 552a (e) (3).

⁴ 18 U.S.C. § 1001 *et seq.*